

AGENDA
TOWN BOARD AND WATER BOARD MEETING

April 8, 1998
WEDNESDAY

TOWN HALL
7:30 P.M.

1. MINUTES

UNFINISHED BUSINESS

HIGHWAY DEPARTMENT

- 2. Motion-Appointment of Hearing Officer-Disciplinary Hearing**

WATER DEPARTMENT

- 3. Receive and file-Notice Under Mechanic's Lien Law For Account of Public Improvement**

SANITATION DEPARTMENT

- 4. Motion-TNW Acceptance-Sewer allocations AG Moodna Creek Development LTD/DonBar Development Sterling Woods Subdivision**

GENERAL

- 5. Motion-Authorize Supervisor to execute drainage Easement-Lannis Ave./Continential Dr. Drainage Project**
- 6. Motion-Authorize adoption of Resolution-Anniversary of Town Government**
- 7. Motion-Adopt Proclamation-Dino J. Sciamanna**
- 8. Motion-Adopt Proclamation-James C. Wright**
- 9. Receive and file-Decision and Order**
- 10. Receive and file-Summons with Notice**
- 11. Receive and file-Notice Under Mechanic's Lien Law For Account of Public improvement**
- 12. Receive and file-License Agreement-City of Newburgh/Town of New Windsor - Sign**
- 13. Receive and file-Drainage Easement-Route 32 Drainage Project Stafford to TNW 49-1-5**
- 14. Receive and file-Summons**
- 15. Motion-Authorize final release of retainage-Alexandra Development-Drainage Improvements Phase I Contract 3-Ceasars Lane**
- 16. Motion-Authorize reduction in Public Improvement Bond-Blooming Grove Operating Co. Major subdivision-Phase III**
- 17. Motion-Authorization to advertise for sealed bids-Crestview Lake building boiler Replacement/mechanical renovations-Contract 1M**

18. OFFICIALS REPORTS

19. PUBLIC FORUM

20. ADJOURN

REGULAR TOWN BOARD AND WATER BOARD MEETING
WED., APRIL 8, 1998; 7:30 P.M.
NEW WINDSOR TOWN HALL
NEW WINDSOR, NEW YORK

BOARD MEMBERS PRESENT: Supervisor Meyers, Councilman Finnegan,
Councilwoman Mullarkey, Councilwoman
Townsend, Councilman Green

OTHER OFFICIALS PRESENT: Police Chief Koury, Comptroller Reis

SALUTE TO FLAG

Supervisor Meyers called to order the Regular Town Board and Water Board Meeting
and presided over same.

#1 On Agenda – MINUTES

Motion by Councilman Finnegan, seconded by Councilwoman Mullarkey that the Town
Board of the Town of New Windsor approve the Minutes of the Regular Town Board and
Water Board Meeting held on March 4, 1998 and the Special Town Board Meeting held
on March 26, 1998, as per the copies posted on the Town Clerk's bulletin board in the
Town Hall and same distributed to each of the Town Board Members.

Roll Call: All Ayes

Motion Carried: 5-0

UNFINISHED BUSINESS

NONE

HIGHWAY DEPARTMENT

#2 On Agenda – Motion-Appointment of Hearing Officer-Disciplinary Hearing

Motion by Councilman Green, seconded by Councilwoman Townsend that the Town
Board of the Town of New Windsor adopt the following Resolution:

IT IS HEREBY RESOLVED that pursuant to Civil Service Law, Section 75, the Town
Board of the Town of New Windsor hereby authorizes the Town Supervisor to appoint a
hearing officer to hear all charges preferred by the Highway Superintendent of the Town
of New Windsor against one of its Highway employees and to make recommendations
for disciplinary action to the Town Board; A hearing will be held on the 7th day of May,
1998 at 10:00 a.m. in the Court room at the New Windsor Town Hall, 555 Union
Avenue, New Windsor, New York, or on such date as the parties may agree.

IT IS FURTHER RESOLVED that the hearing officer shall be paid the sum of ONE
HUNDRED (\$100.00) DOLLARS per hour for services rendered.

Roll Call: All Ayes

Motion Carried: 5-0

WATER DEPARTMENT

#3 On Agenda – Receive and File-Notice Under Mechanic's Lien Law For Account of
Public Improvement

Hearing no objections, the Town Board of the Town of New Windsor receive and file
with the Town Clerk a Notice Under Mechanic's Lien Law for Account of Public
Improvement submitted by Callahan and Nannini Inc. against DNM Hauling and

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Excavating Co., Inc. for work on the Water District #11 Water Main Project. Same being referred to the Attorney for the Town.

SANITATION DEPARTMENT

#4 On Agenda – Motion-TNW Acceptance-Sewer Allocations AG Moodna Creek Development LTD/DonBar Development Sterling Woods Subdivision

Motion by Councilwoman Townsend, seconded by Councilman Green that the Town Board of the Town of New Windsor consent to an Agreement entered into the 20th day of March 1998 between MOODNA CREEK DEVELOPMENT, LTD. And DON BAR DEVELOPMENT CORP. which provides for the allocation of 2,800 gallons of daily sewage service per day at the New Windsor Sewage Treatment Plant and authorize the Town Supervisor to execute a consent form attached to that Agreement; and

Also, authorize the Town Supervisor to enter into a separate agreement between the Town of New Windsor and Don Bar Development Corp. for the allocation of the sewer capacity to the developer on property identified on the New Windsor tax map as Section 38, Block 1, Lot 1.1, 4 and 5, sometimes referred to as the Sterling Woods Subdivision.
Roll Call: All Ayes Motion Carried: 5-0

GENERAL

#5 On Agenda – Motion-Authorize Supervisor to Execute Drainage Easement-Lannis Ave./Continental Dr. Drainage Project

Motion by Councilwoman Mullarkey, seconded by Councilman Finnegan that the Town Board of the Town of New Windsor authorize the Supervisor to execute the following Drainage Easement together with form TP-584, concerning the LANNIS AVENUE/CONTINENTAL DRIVE DRAINAGE PROJECT:

Smith, Bradford O. and Kyong S.	49-1-4
Vitolo, Vittorio and Lucy	49-1-25
Vitolo, Reziero	49-1-27
Rottmeier Development Co., Inc.	45-1-40.1
Kroun, Renee	45-1-35
Hess, Anne and Pascale, Mary	45-1-37
Headlee, Jan A.	45-1-40.21
William Horowitz Corp.	45-1-40.23
Benjamin Harris	45-1-39
Etta Wennet	45-1-39

Roll Call: All Ayes Motion Carried: 5-0

#6 On Agenda – Motion-Authorize Adoption of Resolution-Anniversary of Town Government

Motion by Councilman Green, seconded by Councilwoman Townsend that the Town Board of the Town of New Windsor adopt the following Resolution regarding the two hundred and thirty-fifth anniversary of Town Government:

WHEREAS, the Town Government of the Town of New Windsor, County of Orange, State of New York, has continuously functioned since 1763, and that the first Tuesday in April, April 7, 1998, is the two hundred and thirty-fifth anniversary of its creation by the Royal Governor and the General Assembly of the Colony of New York and;

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WHEREAS, on December 31, 1762 an official Act to divide the Highland Precinct was passed, thereby creating the Precincts of New Windsor and Newburgh to take effect on the first Tuesday in April 1763 and;

THEREFORE BE IT RESOLVED, that the Town Board of the Town of New Windsor recognizes the contributions of the first elected Town Board and every subsequent Town Board; duly elected to represent the residents and inhabitants of New Windsor and;

BE IT FURTHER RESOLVED, that this two hundred and thirty-fifth anniversary of Town Government be placed on the record of the official Minutes of the Town Board Meeting of April 8, 1998.

Roll Call: All Ayes

Motion Carried: 5-0

#7 On Agenda – Motion-Adopt Proclamation-Dino J. Sciamanna

Motion by Councilman Finnegan, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor adopt the following Proclamation:

WHEREAS, DINO J. SCIAMANNA, is a graduate of Wilkes College, a retired school teacher with twenty-six years of experience with the Newburgh School District, and a former Town of New Windsor Councilman and;

WHEREAS, Mr. Sciamanna has been involved in many civic organizations including, the New Windsor American Legion, Disabled American Veterans, Veterans of Foreign Wars, New Windsor Lions Club, Newburgh Elks Lodge, New Windsor Little League, and the Parent Teacher Association, and;

WHEREAS, in 19793 DINO SCIAMANNA was elected an Orange County Legislator. Among his many accomplishments Mr. Sciamanna served as Chairman of the Personnel Committee and the Stewart Airport Committee, he also served on the Rules, Enactments and Intergovernmental Relations Committee, Health and Mental Health Committee, Labor Relations Advisory, Social Services Committee, Foreign Trade Zone Management Board, and now therefore be it;

RESOLVED, that the Town Board of the Town of New Windsor recognizes that in DINO SCIAMANNA we have an outstanding citizen and elected official, one who is worthy of the esteem of all of the citizens of New Windsor. A person whose dedication and outstanding work during the last twenty-four years in the Orange County Legislature is deeply appreciated by all the citizens of the County of Orange and the Town of New Windsor and;

BE IT FURTHER RESOLVED, that I, George J. Meyers, Supervisor of the Town of New Windsor, on behalf of the Town Board, take great pleasure in presenting DINO SCIAMANNA this Proclamation on the event of his retirement.

Roll Call: All Ayes

Motion Carried: 5-0

#8 On Agenda – Motion-Adopt Proclamation – James C. Wright

Motion by Councilwoman Townsend, seconded by Councilman Green that the Town Board of the Town of New Windsor adopt the following Proclamation:

WHEREAS, JAMES C. WRIGHT, a graduate of Colgate University, owned and operated Wright Personnel Consultants, Inc. in the Town of New Windsor from 1960 to 1992 and;

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WHEREAS, in 1969 while operating a successful personnel recruiting firm, JAMES C. WRIGHT was elected an Orange County Legislator. Among his many accomplishments, Mr. Wright served as Chairman of the Rules, Enactments and Intergovernmental Relations Committee, was chairman of the E-911 Study Committee and has served on the Finance and Administration Committee, Foreign Trade Zone Management Board and the Stewart Airport Committee. He also served as Majority Leader in 1996 and 1997 and;

WHEREAS, the Town of New Windsor and its residents are grateful for all of Mr. Wright's accomplishments in the Orange County Legislature, we are especially grateful for his passion and knowledge of Stewart International Airport. Mr. Wright has worked tirelessly for the betterment of Stewart International Airport and all the surrounding communities. Mr. Wright has served as Chairman of the Stewart Airport Commission since its inception in 1983, a prestigious commission, whose members are selected by the Governor of the State of New York, and now therefore be it;

RESOLVED, that the Town Board of the Town of New Windsor recognizes that in JAMES C. WRIGHT we have an outstanding citizen, businessman and elected official who is worthy of the esteem of all the residents of New Windsor. A person whose dedication and outstanding work during the last twenty-eight years in the Orange County Legislature is deeply appreciated by all the citizens of the County of Orange and the Town of New Windsor and;

BE IT FURTHER RESOLVED, that I George J. Meyers, Supervisor of the Town of New Windsor, on behalf of the Town Board, take great pleasure in presenting JAME C. WRIGHT this Proclamation on the event of his retirement.

Roll Call: All Ayes

Motion Carried: 5-0

#9 On Agenda – Receive and File-Decision and Order

Hearing no objections, the Town Board of the Town of New Windsor receive and file with the Town Clerk a Decision and Order regarding LuJan Homebuilders, Inc. against the Town of New Windsor and Dorothy H. Hansen, New Windsor Town Clerk. Same being referred to the Attorney for the Town.

#10 On Agenda – Receive and File-Summons with Notice

Hearing no objections, the Town Board of the Town of New Windsor receive and file with the Town Clerk a Summons With Notice regarding James McGrane and Clean Earth of New York, Inc. against the Town of New Windsor, Andres S.F. Espeut and PACCAR Fin. Corp. Same being referred to the Attorney for the Town.

#11 On Agenda – Receive and File-Notice Under Mechanic's Lien Law for Account of Public Improvement

Hearing no objections, the Town Board of the Town of New Windsor receive and file with the Town Clerk a Notice Under Mechanic's Lien Law for Account of Public Improvement submitted by Clarence P. Mans, President of Park, Fly and Drive, PO Box 247, Vails Gate, New York. Same being referred to the Attorney for the Town.

#12 On Agenda – Receive and File-License Agreement-City of Newburgh/Town of New Windsor – Sign

Hearing no objection, the Town Board of the Town of New Windsor receive and file a License Agreement dated the 23rd day of March, 1998 to permit the Town to erect a sign on City property located near the intersection of Routes 207 and 300 in the Town of New Windsor (4-3-1.1)

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#13 On Agenda – Receive and File-Drainage Easement-Route 32 Drainage Project
Stafford to TNW 49-1-5

Hearing no objection, the Town Board of the Town of New Windsor receive and file the following Drainage Easement in connection with the Route 32 Drainage Project:

STAFFORD, ELIZABETH A. to TOWN OF NEW WINDSOR, which easement is dated January 9, 1998 and recorded in the Orange County Clerk's Office in Liber 4732 at page 185 on March 4, 1998.

#14 On Agenda – Receive and File-Summons

Hearing no objections, the Town Board of the Town of New Windsor receive and file with the Town Clerk a Summons submitted by Frank A. Bria, Jr. against the Town of New Windsor, New Windsor Police Department, Orange County District Attorney's Office, Assistant District Attorney Brian Lynch, Youth Officer Lesley Pierri and Police Officer Christopher Sager. Same being referred to the Attorney for the Town.

#15 On Agenda – Motion-Authorize Final Release of Retainage-Alexandra Development
Drainage Improvements Phase I Contract 3-Ceasars Lane

Motion by Councilwoman Mullarkey, seconded by Councilman Finnegan that the Town Board of the Town of New Windsor authorize the release of retainage to Alexandra Development in the amount of \$4,495.27, for work on the Drainage Improvements Phase I Project, Contract 3, Ceasars Lane area.

Roll Call: All Ayes

Motion Carried: 5-0

#16 On Agenda – Motion-Authorize Reduction in Public Improvement Bond-Blooming
Grove Operating Co. Major Subdivision-Phase III

Motion by Councilman Green, seconded by Councilwoman Townsend that the Town Board of the Town of New Windsor authorize the reduction in Public Improvement Bond amount for Blooming Grove Operating Co. major subdivision, Phase III to \$37,637.50. As per the recommendation of McGoey, Hauser and Edsall Consulting Engineers, P.C., under the date of April 3, 1998.

Roll Call: All Ayes

Motion Carried: 5-0

#17 On Agenda – Motion-Authorization to Advertise for Sealed Bids-Crestview Lake
Building Boiler Replacement/Mechanical Renovations-Contract 1M

Motion by Councilman Finnegan, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor authorize the Town Clerk to advertise pursuant to law, calling for sealed bids for the Crestview Lake Building Boiler Replacement/Mechanical Renovations-Contract 1M, bids will be received and publicly opened on April 30, 1998 at 3:00 P.M. The Town Board of the Town of New Windsor reserves the right to reject any and/or all bids.

Roll Call: All Ayes

Motion Carried: 5-0

#18 On Agenda – OFFICIALS REPORTS

The following reports were received, recorded and filed with the Town Clerk:

Fire Prevention Report
Tax Receiver's Monthly Report
Police Report

Month of February 1998
Month of February 1998
Month of February 1998

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Recreation Department Report	Month of March 1998
Town Clerk's Report	Month of March 1998
Tax Receiver's Report	Month of March 1998
Tax Receiver's Monthly Report	Month of March 1998
Town Justice Suttlehan's Report	Month of March 1998
Building Department Report	Month of March 1998
Police Report	Month of March 1998
Town Justice Thorpe's Report	Month of March 1998
Tax Receiver's Monthly Report	Month of April 1998

#19 On Agenda – PUBLIC FORUM

Hearing no one wishing to speak, Supervisor Meyers entertained a motion to close the Public Forum portion of the Agenda.

Motion by Councilman Finnegan, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor close the Public Forum portion of the meeting.

Roll Call: All Ayes

Motion Carried: 5-0

#20 On Agenda – ADJOURN

Motion by Councilwoman Townsend, seconded by Councilman Green that the Town Board of the Town of New Windsor adjourn the Regular Town Board and Water Board Meeting at 7:47 P.M.

Roll Call: All Ayes

Motion Carried: 5-0

Respectfully submitted,



DOROTHY H. HANSEN
TOWN CLERK

DHH:sh